

Application No. 10/036,066
Paper Dated April 6, 2006
Attorney Docket No. 3936-011568

PATENT MAINTENANCE
DIVISION

2006 APR 11 PM 4:23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/036,066
Applicant : Scott L. Diamond
Filed : November 7, 2001
Title : PEPTIDE OR PROTEIN MICROASSAY
METHOD AND APPARATUS
Group Art Unit : 1641
Examiner : Ann Y. Lam
Confirmation No. : 3883
Customer No. : 28289

MAIL STOP 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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REQUEST FOR REFUND

Applicants request a refund in the above-identified patent application. A Request for Continued Examination was filed on February 13, 2006 and paid at the large entity rate; however, the Applicants claimed small entity status. The large entity fee paid was \$790.00 and the small entity fee rate was \$395.00.

Therefore, Applicants request a refund in the amount of \$395.00 to Deposit Account No. 23-0650.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 6, 2006

Bruce L. White
(Name of Person Mailing Paper or Fee)

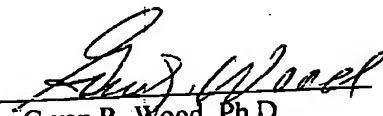
Bruce L. White
Signature

4/6/06
Date

Application No. 10/036,066
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Respectfully submitted,

THE WEBB LAW FIRM

By 
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The PTO did not receive the following listed item(s) check 10 20 100

15W RCE

PTO/SB/30 (04-05)

Approved for use through 07/31/2006. OMB 0551-0031

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REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Address to:
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| | |
|------------------------|------------------|
| Application Number | 10/036,066 |
| Filing Date | November 7, 2001 |
| First Named Inventor | Scott L. Diamond |
| Art Unit | 1641 |
| Examiner Name | Ann Y. Lam |
| Attorney Docket Number | 3936-011568 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 23-0650. I have enclosed a duplicate copy of this sheet.
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$790.00 & \$1020.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|---------------------|---------------------|------------------|-------------------|
| Signature | <u>Gwen R. Wood</u> | Date | February 13, 2006 |
| Name (Print / Type) | Gwen R. Wood, Ph.D. | Registration No. | 51,027 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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|---------------------|-----------------------|------|-------------------|
| Signature | <u>Bruce L. White</u> | Date | February 13, 2006 |
| Name (Print / Type) | Bruce L. White | | |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Repl'n. Ref: 04/18/2006 SDIRETAI 0012590600
DA# 230650 Name/Number: 10036066
FC: 9204 \$395.00 CR

Adjustment Date: 04/18/2006
02/17/2006 HAHED1 00000048 10036066
01 FC:1801 -790.00 DP
04/18/2006 SDIRETAI 00000009 10036066

395.00 DP

01 FC:2801

02/17/2006 HAHED1 00000048 10036066

01 FC:1801

790.00 DP